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A-R

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/937,439    09/25/97    FUKUSHIMA    M    500.30789R00

020457    LM12/0706  
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EXAMINER

VO, C

ART UNIT

PAPER NUMBER

2772

DATE MAILED:

07/06/00

12

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

08/937,439

Applicant(s)

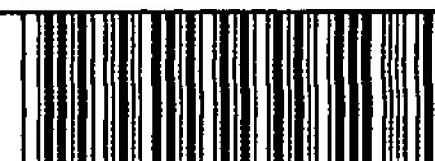
Fukushima et al

Examiner

Cliff N. Vo

Group Art Unit

2772



☒ Responsive to communication(s) filed on Feb 14, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-26 is/are pending in the application

Of the above, claim(s) none is/are withdrawn from consideration

☒ Claim(s) 1-10, 12-18, and 26 is/are allowed.

☒ Claim(s) 11 and 19-25 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 11

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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### **DETAILED ACTION**

1. This Office Action is in response to the Amendment filed February 14, 2000 which has been entered into the record of file.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11 and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada et al (U.S. Patent No. 4,847,788) in view of Kojima et al (U.S. Patent No. 6,005,576).

As per independent claim 11, Shimada et al teach a drawing management and display device comprising a display means for displaying the drawings data (Fig.2A). It is noticed that Shimada fails to teach a means for displaying a three dimensional retrieval icon representing the amount of data. However, Kojima et al. teach another data processing system comprising a means for displaying a three dimensional retrieval icon representing the amount of data of the object represented by that icon (col.5, lines 34-55).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to configure Shimada's teachings as now claimed by associating the three dimensional retrieval icon as described by Kojima et al. into each corresponding sub-drawing in order to make the system

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more efficient since it would have visually indicated to the user the amount of each sub-drawing with respect to the other.

As per claims 19-25, the system of Shimada et al in view of Kojima et al further teach the claimed features as now claimed by teaching a data processing system including step of generating and displaying a three-dimensional retrieval icon.

*Allowable Subject Matter*

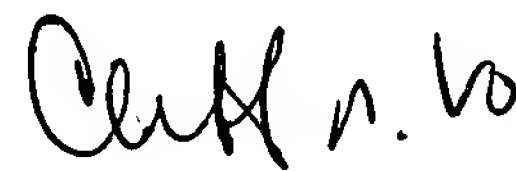
4. Claims 1-10, 12-18 and 26 are allowed over the cited prior art.

*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cliff N. Vo whose telephone number is (703) 305-9594. He can normally be reached Monday-Friday and alternate Monday from 8:00am-5:30pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798. The fax phone number for this Group is (703) 305-9724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.



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Cliff N. Vo  
July 1, 2000